

IN THE SENATE

SENATE BILL NO. 1420

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION; APPROPRI-
2 ATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2023;
3 LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EX-
4 EMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS; REDUCING
5 THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2022;
6 CREATING THE HEPATITIS C FUND; APPROPRIATING AND TRANSFERRING MONEYS
7 FORM THE GENERAL FUND TO THE HEPATITIS C FUND FOR FISCAL YEAR 2022;
8 APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR
9 THE MANAGEMENT SERVICES PROGRAM FOR FISCAL YEAR 2022; APPROPRIATING
10 ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE MANAGEMENT
11 SERVICES PROGRAM FOR PRE-PROSECUTION DIVERSION GRANTS FOR FISCAL YEAR
12 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION
13 FOR THE MANAGEMENT SERVICES PROGRAM FOR AN INMATE BANKING MODULE FOR
14 FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF
15 CORRECTION FOR THE PRISONS ADMINISTRATION PROGRAM FOR TRAUMA-INFORMED
16 TREATMENT FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE
17 DEPARTMENT OF CORRECTION FOR THE PRISONS ADMINISTRATION PROGRAM FOR
18 A DIGITAL RADIO SYSTEM FOR FISCAL YEAR 2022; APPROPRIATING ADDITIONAL
19 MONEYS TO THE DEPARTMENT OF CORRECTION FOR THE CORRECTIONAL ALTERNA-
20 TIVE PLACEMENT PROGRAM FOR PAYING OFF A LEASE PURCHASE AGREEMENT FOR
21 FISCAL YEAR 2022; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF
22 CORRECTION FOR THE COMMUNITY SUPERVISION PROGRAM FOR FISCAL YEAR 2022;
23 PROVIDING REAPPROPRIATION FOR THE TREATMENT OF HEPATITIS C; PROVID-
24 ING REAPPROPRIATION AUTHORITY FOR PRE-PROSECUTION DIVERSION GRANTS;
25 PROVIDING REAPPROPRIATION AUTHORITY FOR AN INMATE BANKING MODULE; PRO-
26 VIDING REAPPROPRIATION AUTHORITY FOR TRAUMA-INFORMED TREATMENT; AND
27 DECLARING AN EMERGENCY.
28

29 Be It Enacted by the Legislature of the State of Idaho:

30 SECTION 1. There is hereby appropriated to the Department of Correc-
31 tion the following amounts to be expended according to the designated pro-
32 grams and expense classes from the listed funds for the period July 1, 2022,
33 through June 30, 2023:

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
1					
2					
3					
4					
5	I. MANAGEMENT SERVICES:				
6	FROM:				
7	General				
8	Fund	\$10,174,700	\$8,576,200		\$18,750,900
9	Inmate Labor				
10	Fund	134,000			134,000
11	Parolee Supervision				
12	Fund	279,200	92,300		371,500
13	Miscellaneous Revenue				
14	Fund	<u>966,400</u>	<u>569,400</u>		<u>1,535,800</u>
15	TOTAL	\$11,554,300	\$9,237,900		\$20,792,200
16	II. STATE PRISONS:				
17	A. PRISONS ADMINISTRATION:				
18	FROM:				
19	General				
20	Fund	\$3,392,400	\$580,200		\$3,972,600
21	Miscellaneous Revenue				
22	Fund	394,100	161,400		555,500
23	Penitentiary Endowment Income				
24	Fund		72,400	\$293,000	365,400
25	ARPA State Fiscal Recovery				
26	Fund		500,000	10,000,000	10,500,000
27	Federal Grant				
28	Fund	<u>673,800</u>	<u>770,300</u>	<u>0</u>	<u>1,444,100</u>
29	TOTAL	\$4,460,300	\$2,084,300	\$10,293,000	\$16,837,600
30	B. IDAHO STATE CORRECTIONAL INSTITUTION - BOISE:				
31	FROM:				
32	General				
33	Fund	\$27,410,100	\$3,332,900		\$30,743,000
34	Inmate Labor				
35	Fund		50,100		50,100
36	Miscellaneous Revenue				
37	Fund	755,300	261,100		1,016,400

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
5	Penitentiary Endowment Income				
6	Fund	<u>0</u>	<u>1,066,300</u>	<u>\$514,400</u>	<u>1,580,700</u>
7	TOTAL	\$28,165,400	\$4,710,400	\$514,400	\$33,390,200
8	C. IDAHO STATE CORRECTIONAL CENTER - BOISE:				
9	FROM:				
10	General				
11	Fund	\$26,500,800	\$5,356,000		\$31,856,800
12	Inmate Labor				
13	Fund		2,400		2,400
14	Miscellaneous Revenue				
15	Fund		425,300		425,300
16	Penitentiary Endowment Income				
17	Fund	<u>0</u>	<u>199,100</u>	<u>\$102,100</u>	<u>301,200</u>
18	TOTAL	\$26,500,800	\$5,982,800	\$102,100	\$32,585,700
19	D. IDAHO CORRECTIONAL INSTITUTION - OROFINO:				
20	FROM:				
21	General				
22	Fund	\$9,874,700	\$1,614,600		\$11,489,300
23	Inmate Labor				
24	Fund	1,015,000	514,600	\$248,600	1,778,200
25	Miscellaneous Revenue				
26	Fund	80,900	62,200		143,100
27	Penitentiary Endowment Income				
28	Fund	<u>0</u>	<u>49,000</u>	<u>0</u>	<u>49,000</u>
29	TOTAL	\$10,970,600	\$2,240,400	\$248,600	\$13,459,600
30	E. IDAHO MAXIMUM SECURITY INSTITUTION - BOISE:				
31	FROM:				
32	General				
33	Fund	\$13,351,800	\$1,503,800		\$14,855,600
34	Inmate Labor				
35	Fund		52,700		52,700
36	Miscellaneous Revenue				
37	Fund	75,600	95,900		171,500

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
5	Penitentiary Endowment Income				
6	Fund	<u>0</u>	<u>232,100</u>	<u>\$107,300</u>	<u>339,400</u>
7	TOTAL	\$13,427,400	\$1,884,500	\$107,300	\$15,419,200
8	F. NORTH IDAHO CORRECTIONAL INSTITUTION - COTTONWOOD:				
9	FROM:				
10	General				
11	Fund	\$5,963,800	\$1,030,900		\$6,994,700
12	Inmate Labor				
13	Fund		43,200		43,200
14	Miscellaneous Revenue				
15	Fund	61,600	97,700		159,300
16	Penitentiary Endowment Income				
17	Fund	<u>0</u>	<u>197,100</u>	<u>\$51,800</u>	<u>248,900</u>
18	TOTAL	\$6,025,400	\$1,368,900	\$51,800	\$7,446,100
19	G. SOUTH IDAHO CORRECTIONAL INSTITUTION - BOISE:				
20	FROM:				
21	General				
22	Fund	\$9,452,300	\$2,528,500	\$12,000	\$11,992,800
23	Inmate Labor				
24	Fund	2,427,900	971,400	940,800	4,340,100
25	Miscellaneous Revenue				
26	Fund	155,900	98,400		254,300
27	Penitentiary Endowment Income				
28	Fund	<u>0</u>	<u>45,500</u>	<u>114,100</u>	<u>159,600</u>
29	TOTAL	\$12,036,100	\$3,643,800	\$1,066,900	\$16,746,800
30	H. ST. ANTHONY WORK CAMP:				
31	FROM:				
32	General				
33	Fund	\$5,071,800	\$649,600		\$5,721,400
34	Inmate Labor				
35	Fund	1,833,000	873,300	\$83,700	2,790,000
36	Miscellaneous Revenue				
37	Fund		21,000		21,000

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
1					
2					
3					
4					
5	Penitentiary Endowment Income				
6	Fund	<u>0</u>	<u>1,900</u>	<u>0</u>	<u>1,900</u>
7	TOTAL	\$6,904,800	\$1,545,800	\$83,700	\$8,534,300
8	I. POCATELLO WOMEN'S CORRECTIONAL CENTER:				
9	FROM:				
10	General				
11	Fund	\$6,942,600	\$904,300		\$7,846,900
12	Inmate Labor				
13	Fund	389,300	74,800		464,100
14	Miscellaneous Revenue				
15	Fund	278,100	116,400		394,500
16	Penitentiary Endowment Income				
17	Fund	<u>0</u>	<u>39,400</u>	<u>\$61,000</u>	<u>100,400</u>
18	TOTAL	\$7,610,000	\$1,134,900	\$61,000	\$8,805,900
19	J. SOUTH BOISE WOMEN'S CORRECTIONAL CENTER:				
20	FROM:				
21	General				
22	Fund	\$4,413,200	\$580,700		\$4,993,900
23	Miscellaneous Revenue				
24	Fund		39,800		39,800
25	Penitentiary Endowment Income				
26	Fund	<u>0</u>	<u>51,100</u>	<u>\$23,500</u>	<u>74,600</u>
27	TOTAL	\$4,413,200	\$671,600	\$23,500	\$5,108,300
28	DIVISION				
29	TOTAL	\$120,514,000	\$25,267,400	\$12,552,300	\$158,333,700
30	III. COUNTY & OUT-OF-STATE PLACEMENT:				
31	FROM:				
32	General				
33	Fund		\$26,974,800		\$26,974,800

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
5	IV. CORRECTIONAL ALTERNATIVE PLACEMENT:				
6	FROM:				
7	General				
8	Fund	\$7,496,200	\$1,299,000		\$8,795,200
9	Miscellaneous Revenue				
10	Fund	<u>200,000</u>	<u>0</u>		<u>200,000</u>
11	TOTAL	\$7,696,200	\$1,299,000		\$8,995,200
12	V. COMMUNITY CORRECTIONS:				
13	A. COMMUNITY SUPERVISION:				
14	FROM:				
15	General				
16	Fund	\$23,596,100	\$8,548,200	\$120,600	\$32,264,900
17	Inmate Labor				
18	Fund		54,100		54,100
19	Parolee Supervision				
20	Fund	6,029,100	1,980,500	164,600	8,174,200
21	Drug and Mental Health Court Supervision				
22	Fund	556,500	27,200		583,700
23	Miscellaneous Revenue				
24	Fund	105,600			105,600
25	Federal Grant				
26	Fund	<u>81,900</u>	<u>595,300</u>	<u>0</u>	<u>\$400,000</u>
27	TOTAL	\$30,369,200	\$11,205,300	\$285,200	\$42,259,700
28	B. COMMUNITY REENTRY CENTERS:				
29	FROM:				
30	General				
31	Fund	\$5,332,600	\$43,700		\$5,376,300
32	Inmate Labor				
33	Fund	1,237,300	2,350,700	\$325,000	3,913,000
34	Penitentiary Endowment Income				
35	Fund	<u>0</u>	<u>18,700</u>	<u>0</u>	<u>18,700</u>
36	TOTAL	\$6,569,900	\$2,413,100	\$325,000	\$9,308,000
37	DIVISION				
38	TOTAL	\$36,939,100	\$13,618,400	\$610,200	\$51,567,700

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
5	VI. COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT:				
6	FROM:				
7	General				
8	Fund	\$1,573,900	\$45,800	\$2,846,500	\$4,466,200
9	VII. MEDICAL SERVICES:				
10	FROM:				
11	General				
12	Fund		\$68,528,100		\$68,528,100
13	Miscellaneous Revenue				
14	Fund		<u>135,000</u>		<u>135,000</u>
15	TOTAL		\$68,663,100		\$68,663,100
16	GRAND TOTAL	\$170,581,300	\$151,503,600	\$14,461,500	\$3,246,500
				\$339,792,900	

17 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
18 Idaho Code, the Department of Correction is authorized no more than two thou-
19 sand one hundred and three and eighty-five hundredths (2,103.85) full-time
20 equivalent positions at any point during the period July 1, 2022, through
21 June 30, 2023, unless specifically authorized by the Governor. The Joint
22 Finance-Appropriations Committee will be notified promptly of any increased
23 positions so authorized.

24 SECTION 3. EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. The De-
25 partment of Correction is hereby exempted from the provisions of Section
26 67-3511(2), Idaho Code, allowing unlimited transfers between programs for
27 all moneys appropriated to it for the period July 1, 2022, through June 30,
28 2023; provided, however, moneys appropriated to the County and Out-of-State
29 Placement Program, Correctional Alternative Placement Program, and Medical
30 Services Program may only be transferred between said programs. Legislative
31 appropriations shall not be transferred from one fund to another fund unless
32 expressly approved by the Legislature.

33 SECTION 4. Notwithstanding any other provision of law to the contrary,
34 the appropriation made to the Department of Correction in the County and Out-
35 of-State Placement Program in Section 1, Chapter 99, Laws of 2021, from the
36 General Fund is hereby reduced by \$12,000,000 for the period July 1, 2021,
37 through June 30, 2022.

38 SECTION 5. HEPATITIS C FUND. There is hereby created in the state trea-
39 sury the Hepatitis C Fund. The fund shall consist of moneys appropriated by
40 the Legislature. The state treasurer shall invest the idle moneys of the

1 fund, and the interest earned on such investments shall be retained by the
 2 fund. The Hepatitis C Fund is subject to appropriation by the Legislature,
 3 and moneys in the Hepatitis C Fund shall be used solely for treating and mit-
 4 igating hepatitis C as agreed upon in Turney v. Atencio, Case No. 1:18-cv-
 5 00001-BLW (D. Idaho Jan. 17, 2019).

6 SECTION 6. CASH TRANSFER. There is hereby appropriated and the Office
 7 of the State Controller shall transfer \$12,000,000 from the General Fund
 8 to the Hepatitis C Fund as soon as practicable for the period July 1, 2021,
 9 through June 30, 2022.

10 SECTION 7. In addition to the appropriation made in Section 1, Chap-
 11 ter 99, Laws of 2021, and any other appropriation provided by law, there is
 12 hereby appropriated to the Idaho Department of Correction for the Management
 13 Services Program \$12,000,000 from the Hepatitis C Fund to be expended for op-
 14 erating expenditures for the period July 1, 2021, through June 30, 2022.

15 SECTION 8. In addition to the appropriation made in Section 1, Chap-
 16 ter 99, Laws of 2021, and any other appropriation provided by law, there is
 17 hereby appropriated to the Idaho Department of Correction for the Management
 18 Services Program \$2,500,000 from the General Fund, to be expended for oper-
 19 ating expenditures for the period July 1, 2021, through June 30, 2022, for
 20 the purpose of pre-prosecution diversion grants.

21 SECTION 9. In addition to the appropriation made in Section 1, Chap-
 22 ter 99, Laws of 2021, and any other appropriation provided by law, there is
 23 hereby appropriated to the Idaho Department of Correction for the Management
 24 Services Program \$1,800,000 from the General Fund, to be expended for oper-
 25 ating expenditures for the period July 1, 2021, through June 30, 2022, for
 26 the purpose of an inmate banking module.

27 SECTION 10. In addition to the appropriation made in Section 1, Chap-
 28 ter 99, Laws of 2021, and any other appropriation provided by law, there is
 29 hereby appropriated to the Idaho Department of Correction for the Prisons
 30 Administration Program \$500,000 from the General Fund, to be expended for
 31 operating expenditures for the period July 1, 2021, through June 30, 2022,
 32 for the purpose of trauma-informed treatment.

33 SECTION 11. In addition to the appropriation made in Section 1, Chap-
 34 ter 99, Laws of 2021, and any other appropriation provided by law, there is
 35 hereby appropriated to the Department of Correction for the Prisons Admin-
 36 istration Program from the General Fund the following amounts to be expended
 37 for the designated expense classes for the period July 1, 2021, through June
 38 30, 2022, for a digital radio system:

39 FOR:

40 Operating Expenditures	\$2,270,000
41 Capital Outlay	<u>930,000</u>
42 TOTAL	\$3,200,000

1 SECTION 12. In addition to the appropriation made in Section 1, Chap-
2 ter 99, Laws of 2021, and any other appropriation provided by law, there is
3 hereby appropriated to the Idaho Department of Correction for the Correc-
4 tional Alternative Placement Program \$10,738,000 from the General Fund to
5 be expended for operating expenditures for the period July 1, 2021, through
6 June 30, 2022, for the purpose of paying off the lease purchase agreement.

7 SECTION 13. In addition to the appropriation made in Section 1, Chap-
8 ter 99, Laws of 2021, and any other appropriation provided by law, there is
9 hereby appropriated to the Idaho Department of Correction for the Community
10 Supervision Program \$500,000 from the Federal Grant Fund, to be expended for
11 operating expenditures for the period July 1, 2021, through June 30, 2022.

12 SECTION 14. REAPPROPRIATION AUTHORITY FOR THE TREATMENT OF HEPATITIS
13 C. There is hereby reappropriated to the Idaho Department of Correction any
14 unexpended and unencumbered balances appropriated to the Idaho Department
15 of Correction from the Hepatitis C Fund for hepatitis C treatment for fiscal
16 year 2022, in an amount not to exceed \$12,000,000 from the Hepatitis C Fund
17 to be used for nonrecurring expenditures related to hepatitis C for the pe-
18 riod July 1, 2022, through June 30, 2023. The Office of the State Controller
19 shall confirm the reappropriation amount, by fund, expense class, and pro-
20 gram, with the Legislative Services Office prior to processing the reappro-
21 priation authorized herein.

22 SECTION 15. REAPPROPRIATION AUTHORITY FOR PRE-PROSECUTION DIVERSION
23 GRANTS. There is hereby reappropriated to the Idaho Department of Correc-
24 tion any unexpended and unencumbered balances appropriated to the Idaho De-
25 partment of Correction from the General Fund for pre-prosecution diversion
26 grants for fiscal year 2022, in an amount not to exceed \$2,500,000 from the
27 General Fund to be used for nonrecurring expenditures related to pre-prose-
28 cution diversion grants for the period July 1, 2022, through June 30, 2023.
29 The Office of the State Controller shall confirm the reappropriation amount,
30 by fund, expense class, and program, with the Legislative Services Office
31 prior to processing the reappropriation authorized herein.

32 SECTION 16. REAPPROPRIATION AUTHORITY FOR AN INMATE BANKING MODULE.
33 There is hereby reappropriated to the Idaho Department of Correction any
34 unexpended and unencumbered balances appropriated to the Idaho Department
35 of Correction from the General Fund for an inmate banking module for fiscal
36 year 2022, in an amount not to exceed \$1,800,000 from the General Fund to be
37 used for nonrecurring expenditures related to an inmate banking module for
38 the period July 1, 2022, through June 30, 2023. The Office of the State Con-
39 troller shall confirm the reappropriation amount, by fund, expense class,
40 and program, with the Legislative Services Office prior to processing the
41 reappropriation authorized herein.

42 SECTION 17. REAPPROPRIATION AUTHORITY FOR TRAUMA-INFORMED TREATMENT.
43 There is hereby reappropriated to the Idaho Department of Correction any un-
44 expended and unencumbered balances appropriated to the Idaho Department of
45 Correction from the General Fund for trauma-informed treatment for fiscal

1 year 2022, in an amount not to exceed \$500,000 from the General Fund to be
2 used for nonrecurring expenditures related to trauma-informed treatment for
3 the period July 1, 2022, through June 30, 2023. The Office of the State Con-
4 troller shall confirm the reappropriation amount, by fund, expense class,
5 and program, with the Legislative Services Office prior to processing the
6 reappropriation authorized herein.

7 SECTION 18. An emergency existing therefor, which emergency is hereby
8 declared to exist, this act shall be in full force and effect on and after its
9 passage and approval.